



## DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Docket number AMS-FTPP 19-0030]

Proposed Posting, Posting, and De-posting of Stockyards

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Agricultural Marketing Service (AMS), USDA, is taking several actions to post and de-post stockyards under the Packers and Stockyards Act (P&S Act). Specifically, we are proposing that 10 stockyards now operating subject to the P&S Act be posted. We are also posting six stockyards that were identified previously as operating subject to the P&S Act and de-posting two stockyards that no longer meet the definition of a stockyard.

**DATES:** For the proposed posting of stockyards, we will consider comments that we receive on or before [Insert date 15 days after date of publication in the Federal Register].

**ADDRESSES:** We invite you to submit comments on this notice. You may submit comments by any of the following methods:

- Internet: Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- Fax: (202) 690-3207

- Mail, hand delivery, or courier: Stuart Frank, USDA, AMS, 1400 Independence Avenue, SW.,  
Room 2507-S, Washington, DC 20250-3601.

Instructions: All comments should refer to the date and page number of this issue of the Federal Register.

The comments and other documents relating to this action will be available for public inspection during regular business hours.

**FOR FURTHER INFORMATION:** Contact Donna A. Ash, Program Analyst, AMS, Packers and Stockyards Division at (202) 720-0222 or Donna.a.ash@usda.gov.

**SUPPLEMENTARY INFORMATION:** AMS administers and enforces the P&S Act of 1921, (7 U.S.C. 181 *et seq.*). The P&S Act prohibits unfair, deceptive, and fraudulent practices by livestock market agencies, dealers, stockyard owners, meat packers, swine contractors, and live poultry dealers in the livestock, poultry, and meatpacking industries.

Section 302 of the P&S Act (7 U.S.C. 202) defines the term “stockyard” as, “... any place, establishment, or facility commonly known as stockyards, conducted, operated, or managed for profit or nonprofit as a public market for livestock producers, feeders, market agencies, and buyers, consisting of pens, or other enclosures, and their appurtenances, in which live cattle, sheep, swine, horses, mules, or goats are received, held, or kept for sale or shipment in commerce.”

Section 302 (b) of the P&S Act requires the Secretary of Agriculture to determine which stockyards meet this definition, and to notify the owner of the stockyard and the public of that determination by posting a notice in each designated stockyard. Once the Secretary provides notice to the stockyard owner and the public, the stockyard is subject to the provisions of Title III of the P&S Act (7 U.S.C. 201-203 and 205-217a) until the Secretary de-posts the stockyard by public notice. To post a stockyard, we assign the stockyard a facility

number, notify the stockyard owner, and send an official posting notice to the stockyard owner to display in a public area of the stockyard. This process is referred to as “posting.” The date of posting is the date that the posting notices are physically displayed at the stockyard. A facility that does not meet the definition of a stockyard is not subject to the P&S Act and therefore cannot be posted. A posted stockyard can be “de-posted,” which occurs when the facility is no longer used as a stockyard.

We are hereby notifying stockyard owners and the public that the following 10 stockyards meet the definition of a stockyard and that we propose to designate these stockyards as posted stockyards.

Proposed facility number	Stockyard Name and Location
KS - 210	Hill City Commission, LLC Hill City, Kansas
KY - 189	Blue Grass Stockyards, LLC Lexington, Kentucky
KY - 190	Franklin Livestock Market Inc. Franklin, Kentucky
MN - 194	Heidelberger Farm Equipment, LLC Pine City, Minnesota
NE - 189	Chappell Livestock LLC Chappell, Nebraska
NM - 125	Santa Teresa Livestock Auction LLC Santa Teresa, New Mexico
OK - 222	Heart & Soul Horse Co. Sallisaw Oklahoma
OK - 223	Hinz Auction Land and Cattle, LLC Clinton, Oklahoma
OK - 225	C.M.S. Livestock Auction, LLC Wanette, Oklahoma
VA - 163	Alex Eugene Dill Hollering Hill Auction LLC, Nathalie, Virginia

We are also notifying the public that the stockyards listed in the following table meet the P&S Act’s definition of a stockyard, and therefore, we have posted these stockyards. On September 5, 2017, we published a notice in the *Federal Register* (82 FR 41909) proposing to post these six stockyards. Since we received no comments to our proposal, we assigned the stockyards a facility number and notified the owners of the stockyard facilities. Posting notices were sent to each stockyard owner to display in public areas of their stockyard. The table below reflects the date of posting for these stockyards.

Facility Number	Stockyard Name and Location	Date of Posting
FL -141	Gulf Coast Livestock Six Shooter Investment Group, LLC Madison, Florida	10/04/2018
SC-165	Willietakeit Auctions Pelzer, South Carolina	08/14/2018
MS-182	Trade Day Auction Philadelphia, Mississippi	08/08/2018
OK-220	Daniel's Hog and Goat Sale Howe, Oklahoma	08/06/2018
OK-219	Watsons Auction Service Maud, Oklahoma	08/06/2018
OK-221	Glover Auction & Livestock, LLC Lawton, Oklahoma	08/03/2018

Finally, we are notifying the public that the following two stockyards no longer meet the definition of a stockyard and are being de-posted. We de-post stockyards when the facility can no longer be used as a stockyard. The reasons a facility can no longer be used as a stockyard may include the following: 1) the market agency has moved and the posted facility is abandoned; 2) the facility has been torn down or otherwise destroyed, such as by fire; 3) the facility is dilapidated beyond repair; or 4) the facility has been converted and its function has changed.

Facility Number	Stockyard Name and Location	Date De-Posted
KY - 125	Blue Grass Stockyards to Blue Grass Stockyards, L.L.C. Lexington, KY	9/18/2017
MO - 159	United Producers, Inc., Marshall, Missouri	12/17/2018

Authority: 7 U.S.C. 202.

Dated: June 4, 2019

Bruce Summers  
Administrator  
Agricultural Marketing Service

**BILLING CODE 3410-02 P**

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